



# NEWS

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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF JUNE 23, 2003**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#03-89 People v. Langston, S115998. (C037845; 107 Cal.App.4th 959; Sacramento County Superior Court; 00F09092.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Does a prior prison term that was served on a conviction for escape constitute a “separate” prison term for purposes of a sentence enhancement under Penal Code section 667.5, subdivision (b)?

#03-90 Warrick v. Superior Court, S115738. (B160462; 107 Cal.App.4th 1271; Los Angeles County Superior Court; BA230651.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: Must a criminal defendant provide “a specific factual scenario establishing a plausible factual foundation” for allegations of misconduct by law enforcement officers in order to obtain discovery of peace officer personnel records under the applicable statutory provisions? (See Evid. Code, §§ 1043-1045; Pen. Code, §§ 832.7, 832.8; City of Santa Cruz v. Municipal Court (1989) 49 Cal.3d 74; Pitchess v. Superior Court (1974) 11 Cal.3d 531)?

(over)

## STATUS

#02-162 San Diego Unified School District v. Commission on State Mandates, S109125. The court solicited supplemental briefing on the following issues: 1. What effect does the decision in Department of Finance v. Commission on State Mandates (2003) 30 Cal.4th 727 have on the present case? 2. Does either (i) Education Code section 48915, subdivision (b) [requiring expulsion from school for certain conduct], (ii) Education Code section 48915, subdivision (c) [permitting expulsion from school for certain conduct], or (iii) Education Code section 48918 [specifying procedures that are to be afforded in school expulsions], establish a “new program” or a “higher level of service” under California Constitution, article XIII B, section 6?

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